

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



**CORRECTED
FISCAL MEMORANDUM**

HB 453 – SB 934

April 3, 2013

SUMMARY OF ORIGINAL BILL: Authorizes a juvenile court to assign a long-term mentor to a child that is found to be a delinquent child based on conduct involving the use of a firearm or to require that the child or any of the child's family members receive counseling services from the Department of Children's Services (DCS), the juvenile court, or any private counseling services provided through and approved by the juvenile court. The cost of the long-term mentor is to be paid from the resources of the court or DCS, or to be provided by a volunteer mentoring program designed specifically to serve delinquent children and approved by the juvenile court. Authorizes a court to transfer a child 16 years of age or older to be tried as an adult in a criminal court of competent jurisdiction for any offense involving the use of a firearm. The Commissioner of Children's Services is authorized to develop and institute courses of instruction and training in canine behavior within the youth development centers.

FISCAL IMPACT OF ORIGINAL BILL:

Increased State Expenditures - \$846,200

Increased Federal Expenditures - \$71,800

Other Fiscal Impact - The number of children that might receive counseling and mentoring services through a juvenile court cannot be quantified. Local government expenditures could increase if a juvenile court chooses to provide these services.

SUMMARY OF AMENDMENT (006226): Deletes all language after the enacting clause. Authorizes a court to order assignment of a long-term mentor to a child found to be delinquent or require that the child or any of the child's family members receive counseling services from any counseling service provided through or approved by the court only if the funding necessary to implement the order is appropriated by the legislative body of the county in which the court is located or is provided by grants from public or private sources. The Administrative Office of the Courts and local governments are urged to seek and apply for grants to fund the mentoring and counseling programs.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

On April 3, 2013, a fiscal memorandum was issued estimating a fiscal impact as follows:

Increase Local Expenditures – Exceeds \$11,221,200/Permissive

Other Fiscal Impact - State expenditures will increase if any of the estimated 827 children that are ordered to receive mentoring or counseling are in DCS custody. According to DCS, the counseling and mentoring services will lengthen a child's stay in custody an average of 30 days at an average cost per day of \$90 resulting in an increase in state expenditures of \$2,700 per child. It is unknown if any of the children that will be adjudicated delinquent in a county funding the mentoring and counseling authorized by the bill will be in DCS custody.

Due to a typographical error in the *Other Fiscal Impact*, this impact was in error. The estimated fiscal impact is:

(CORRECTED)

Increase Local Expenditures – Exceeds \$11,221,200/Permissive

Other Fiscal Impact - State expenditures will increase if any of the estimated 1,039 children that are ordered to receive mentoring or counseling are in DCS custody. According to DCS, the counseling and mentoring services will lengthen a child's stay in custody an average of 30 days at an average cost per day of \$90 resulting in an increase in state expenditures of \$2,700 per child. It is unknown if any of the children that will be adjudicated delinquent in a county funding the mentoring and counseling authorized by the bill will be in DCS custody.


Assumptions for the bill as amended:

- According to the Administrative Office of the Courts, the Tennessee Council of Juvenile and Family Court Judges (TCJFCJ) statistics for 2011 indicate that 20,780 cases referred to juvenile court were substantiated delinquent.
- The bill authorizes a juvenile court to order mentoring and counseling only if the funding necessary to implement the order is appropriated by the legislative body of the county in which the court is located or is provided from public or private grants.
- It is estimated that at least five percent of children adjudicated delinquent (1,039 children) will be adjudicated delinquent in a county funding the mentoring and counseling and will be ordered to receive the mentoring and counseling.
- It is estimated that one child will receive 12 hours of mentoring and counseling per month for a year for a total of 144 hours per child (12 hours x 12 months). According to DCS, mentoring and counseling sessions cost \$75 per hour.
- It is estimated that the counseling and mentoring program will result in a permissive increase in county expenditures of at least \$11,221,200 [1,039 children x (144 hours x \$75)].

- According to DCS, the mentoring and counseling services will lengthen a child's stay in custody an average of 30 days at an average cost per day of \$90 resulting in an increase in state expenditures of \$2,700 per child. It is unknown if any of the children that will be adjudicated delinquent in a county funding the mentoring and counseling authorized by the bill will be in DCS custody.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read "Lucian D. Geise".

Lucian D. Geise, Executive Director

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